

ANALYSIS

This ordinance extends through June 30, 2006, a franchise to operate a cable television system to provide cable television service in Palos Verdes unincorporated areas, granted by Ordinance No. 89-0097F. This ordinance also changes the name of the Franchisee to CoxCom, Inc., a Delaware corporation, to reflect previously approved transfers, clarifies that references to the term "Director" are to the Director of the Department of Consumer Affairs, and eliminates a self-imposed County distribution of franchise fees requirement.

OFFICE OF THE COUNTY COUNSEL

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03/15/04 (requested)

06/15/04 (revised)

ORDINANCE NO. _____

An ordinance extending through June 30, 2006, a franchise to operate a cable television system to provide cable television service in Palos Verdes unincorporated areas; reflecting changes in the name of the Franchisee to CoxCom, Inc., a Delaware corporation, clarifying that references to the "Director" are to the Director of the Department of Consumer Affairs; and eliminating a self-imposed County distribution of franchise fees requirement.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 1 of Ordinance No. 89-0097F is hereby amended to read as follows:

Section 1. Pursuant to Section 53066 of the Government Code of the State of California, the right, privilege, and franchise is granted to ~~Times Mirror Cable Television of Palos Verdes Peninsula, Inc.~~ CoxCom, Inc., a Delaware corporation, (hereinafter referred to as "Franchisee"), through June 30, 2006, to construct, ~~from time to time and for the period of fifteen (15) years from the effective date of this ordinance,~~ reconstruct, maintain, and to operate a Cable Television System (hereinafter called "System") in the unincorporated ~~territory~~ Service Areas of the County of Los Angeles, described in Section 2 below, and to construct, reconstruct, maintain, operate, renew, repair and remove in ~~the~~ these Service Areas ~~described in Section 2 below,~~ radio and television signal transmission lines and cables and all appurtenances and/or service

connections (hereinafter jointly referred to as "Facilities") which are necessary or convenient for the provision of a System. ~~said~~This grant being subject to the faithful performance and observance by Franchisee of all the terms and conditions herein.

SECTION 2. Section 3.B of Ordinance No. 89-0097F is hereby amended to read as follows:

B. Franchisee shall make the monthly payment required herein payable in advance on the first day of each month, beginning with the first payment as required in Paragraph 1), supra, and for the remaining life of the franchise. In addition, Franchisee shall make the annual percentage payment concurrently with the filing of the reports required by Section 16.60.180 of the County Code, which shall be filed within sixty (60) days after the expiration of each franchise payment period during the life of the franchise.

~~Said franchise fee payments shall be distributed by County as follows:~~

- ~~1). Three percent (3%) of the gross revenues to County;~~
- ~~2). Two percent (2%) of the gross revenues shall be placed in an interest bearing trust fund account as provided by the Auditor Controller of County.~~

SECTION 3. Section 3.D of Ordinance No. 89-0097F is hereby amended to read as follows:

Section 3.D. Franchisee and the Director of ~~Internal Services Department~~the Department of Consumer Affairs, or his authorized representative, (hereinafter referred to as "Director,"~~;~~1) may mutually agree in writing to modify the method of monthly

payments to offset the annual franchise fee payment. Any such modification shall consider the annual franchise period as being based on a calendar year.

[CoxComExtKDFCOC]